

### REMARKS

Claims 2, 3, 5 to 14, 28 and 29 are now before the Examiner.

With respect to the Election/Restriction requirement, the Examiner has indicated that claims 1 to 6 and 9 to 14 are the only claims that have been considered and that claims 7, 8 and 15 to 29 stand withdrawn from further consideration as being drawn to non-elected invention and species. At page 3, line 13, of the Office Action mailed on August 20, 2003, the Examiner had indicated that claims 1 to 8, 18, 28 and 29 were linking claims and will be examined with the claims of the elected invention. In addition, the Examiner has only indicated on page 2, line 4 of the current Office Action that claim "18" should not have been included in the linking claims listed in the Office Action mailed August 20, 2003. Consequently, it is respectfully submitted that claims 1 to 14, 28 and 29 should have been considered in the current Office Action.

Applicant acknowledges with thanks the Examiner's indication that claim 5 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in the present Office Action and to include all of the limitations of the base claim and any intervening claims. By this response, Claim 5 has been rewritten into independent form to include the subject matter of both claims 1 and 4, and claims 1 and 4 have been cancelled without prejudice. Claim 5 has also been amended to address the rejection(s) under 35 U.S.C. 112 with respect to the alternative limitation of claim 1. The remaining claims, claims 2, 6, 7, 9, 11, and 28, have been amended to properly depend from claim 5. Claims 9 and 14 have been amended to address rejection(s) under 35 U.S.C. 112, which are outlined more fully below.

The Examiner's remarks in the Office Action are more fully addressed below.

### Drawings

The drawings are rejected to as failing to comply with 37 CFR 1.84(p)(5) because the drawings do not include the following reference numerals mentioned in the description: 22 and 24. The new formal drawings submitted herewith include these reference numerals.

### **Rejections Under 35 U.S.C. 112**

The Examiner has rejected Claims 1 to 6 and 9 to 14 under 35 U.S.C. 112, second paragraph, as being indefinite.

The Examiner asserts that claim 1 is improperly alternative. Claim 1 has been cancelled without prejudice and claim 5, rewritten in independent form to include the limitations of both claims 1 and 4, has been amended to remove the phrase "a stream of hydrogen peroxide or".

The Examiner also asserts that claim 9 is improperly alternative and suggests reciting the compositions in a Markush form. Claim 9 has been amended to recite the compositions in a Markush form.

The Examiner further asserts that claim 14 is indefinite. Claim 14 has been amended to delete the phrase "such as chelating agents".

### **Rejection Under 35 U.S.C. 102**

The Examiner has rejected claims 1 and 4 under 35 U.S.C. 102(b) as being anticipated by Ueno *et al.* (U.S. Patent No. 3,792,669). The Examiner has also rejected claims 1 and 6 under 35 U.S.C. 102(b) as being anticipated by Bradford *et al.* (U.S. Patent No. 5,582,001). Claims 1 and 4 have been cancelled without prejudice and claim 6 has been amended to depend from independent claim 5, which the Examiner has indicated would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in the present Office Action and to include all of the limitations of the base claim and any intervening claims.

### **Rejection Under 35 U.S.C. 103**

The Examiner has rejected claims 2 and 3 under 35 U.S.C. 103(a) as being unpatentable over Ueno *et al.* (U.S. Patent No. 3,792,669) in view of Ayers *et al.* (U.S. Patent No. 3,662,555). The Examiner has also rejected claims 11 to 13 under 35 U.S.C. 103(a) as being unpatentable over Ueno *et al.* (U.S. Patent No. 3,792,669) in view of Wagaman (U.S. Patent No. 6,230,491). The Examiner has further rejected claim 14 under 35 U.S.C. 103(a) as being unpatentable over Ueno *et al.* (U.S. Patent No. 3,792,669) in view of Malin *et al.* (U.S. Patent No. 4,744,968). The

Examiner has also rejected claims 9 and 10 under 35 U.S.C. 103(a) as being unpatentable over Ueno *et al.* (U.S. Patent No. 3,792,669) in view of Smith *et al.* (U.S. Patent No. 6,367,244).

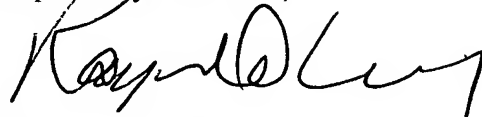
Claims 2, 3 and 9 to 14 have been amended to ultimately depend from independent claim 5, which the Examiner has indicated would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in the present Office Action and to include all of the limitations of the base claim and any intervening claims.

Based on these submissions, the Applicant respectfully requests withdrawal of the rejections with respect to the present claims.

**Conclusions**

For the reasons given above, Applicant respectfully requests reconsideration of this application and timely allowance of the pending claims. Applicant submits that the pending claims are in condition for allowance.

Respectfully submitted,




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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 6, 2004.

  
Janet F. Sherrill